

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MICHAEL KENNEDY,

3:15-CV-01378-SB

Plaintiff,

ORDER

v.

CENTRAL CITY CONCERN,

Defendant.

BROWN, Judge.

Magistrate Judge Stacie F. Beckerman issued Findings and Recommendation (#16) on February 18, 2016, in which she recommends this Court deny Defendant's Motion (#4) to Dismiss due to Plaintiff's Failure to State A Claim; or Alternatively for Summary Judgment due to Plaintiff's Failure to State A Claim with leave to renew Defendant's Motion for Summary Judgment at a later

time. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Beckerman's Findings and Recommendation (#16). Accordingly, the Court **DENIES** Defendant's Motion (#4) to Dismiss due to Plaintiff's Failure to State A Claim; or Alternatively for Summary Judgment due to Plaintiff's Failure to State A Claim with leave to renew Defendant's Motion for Summary Judgment at a later time.

IT IS SO ORDERED.

DATED this 15th day of March, 2016.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge